

SUPREME COURT OF ILLINOIS

THURSDAY, MAY 19, 2005

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.18359 - In re: Malcolm Duncan-Hayward Barnes.
Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed. The petition of petitioner Malcolm Duncan-Hayward Barnes is allowed. Petitioner is restored to active status subject to the following conditions pursuant to Supreme Court Rule 759:

a. Petitioner shall continue to participate in a course of treatment with his treating psychiatrist, Dr. Arthur R. Traugott, Carle Clinic Association Department of Psychiatry, Champaign, Illinois, or any successor at Carle Clinic Association or any other qualified mental health professional acceptable to the Administrator and shall report to his psychiatrist or other professional on at least a quarterly basis, with the Administrator being advised of any change in attendance deemed warranted by such professional;

b. Petitioner shall comply with all treatment recommendations of his treating psychiatrist or other mental health professional, including the taking of medication as prescribed, and submit to testing to determine his compliance with his medication schedule;

c. Petitioner shall provide to his treating psychiatrist or other mental health professional, an appropriate release, authorizing the treating professional to (1) disclose to the Administrator, every 6 months and on request, information pertaining to the nature of petitioner's compliance with any treatment plan established; (2) promptly report to the Administrator petitioner's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding petitioner's mental or emotional state or compliance with any established treatment plan;

d. Petitioner's practice of law shall be supervised by a "mentor" who is a licensed attorney acceptable to the Administrator. Petitioner shall meet at least twice a month with that attorney. Petitioner shall authorize the mentor to communicate with the Administrator at all times and provide a report in writing to the Administrator, every 6 months and on request, regarding the nature of petitioner's work, the

number of cases being handled by petitioner and the supervisor's general appraisal of petitioner's continued fitness to practice law;

e. Petitioner shall abstain from the usage of alcohol, cannabis, and unprescribed controlled substances;

f. Petitioner shall attend meetings of Alcoholics Anonymous, or other similar program approved by the Administrator, on a regular basis, but not less than four times a month, and submit evidence of attendance to the Administrator;

g. Petitioner shall, upon the request by his treating psychiatrist or other mental health professional or the Administrator, submit to any random substance testing by a health professional. Petitioner shall submit to such testing within eight hours of receiving notice of the request. The results of the tests shall be reported to the Administrator. Petitioner shall pay any and all costs of such testing;

h. Petitioner shall report to the Administrator any use of alcohol, cannabis, unprescribed controlled substance, or other illegal drug within 48 hours of such usage;

i. Petitioner shall notify the Administrator within fourteen days of any change of address, place of employment, or any change in treatment professionals;

j. Petitioner shall fully comply with the five-year Order of Conditional Release entered on July 25, 2002, in the case of People v. Malcolm D. Barnes, No. 01-CF-1683, Circuit Court of Champaign County, and shall provide the Administrator with a copy of the reports required in that case; and

k. Petitioner shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct.

Order entered by the Court.

M.R.19748 - In re: Edwin Albert Gausselin, III. Disciplinary
20064 Commission.

(19748) The rule to show cause that issued to respondent Edwin Albert Gausselin, III on October 13, 2004, pursuant to Supreme Court Rule 761 is discharged.

Order entered by the Court.

Fitzgerald, J., took no part.

(20064) The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Edwin Albert Gausselin, III is suspended from the practice of law for ninety (90) days.

Suspension effective June 9, 2005.

Respondent Edwin Albert Gausselin, III shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

Fitzgerald, J., took no part.

M.R.19772 - In re: David Thomas Odom. Disciplinary Commission.

The petition by respondent David Thomas Odom for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent is suspended from the practice of law for nine (9) months, as recommended by the Review Board.

Suspension effective June 9, 2005.

Respondent David Thomas Odom shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.19982 - In re: David Mark Bagdade. Disciplinary Commission.

The motion by respondent David Mark Bagdade for leave to file response instante is allowed.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent David Mark Bagdade is disbarred.

Orders entered by the Court.

M.R.19989 - In re: Francis Raymond Van Hooreweghe. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent Francis Raymond Van Hooreweghe is suspended from

the practice of law for sixty (60) days, as recommended by the Review Board.

Suspension effective June 9, 2005.

Respondent Francis Raymond Van Hooreweghe shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.